

*REMARKS/ARGUMENTS**The Pending Claims*

Claims 1, 6, 8, and 15-24 are pending. Claims 1, 6, and 8 are currently being examined and are directed to a magnetic carrier for a biological substance, such as a nucleic acid. Claims 15-24 are currently withdrawn.

Amendments to the Claims

The claims have been amended to more particularly point out and distinctly claim the present invention. More specifically, claim 1 has been amended to recite a saturation magnetization of 30-80 A·m²/kg. This amendment is supported by the present specification at, for example, page 10, lines 1-4. Claim 3 has been deleted as duplicative. In addition, claims 2 and 4 have been canceled. No new matter has been added by way of these amendments.

Summary of the Office Action

The pending claims are rejected under 35 U.S.C. § 102(e), as allegedly anticipated by U.S. Patent 6,653,035 (Komoto et al.). Reconsideration of this rejection is hereby requested.

Discussion of the Anticipation Rejection

According to the Examiner, the pending claims are anticipated by the Komoto reference, which is considered to be prior art under Section 102(e). The U.S. filing date of the Komoto reference is July 26, 2002.

The present application claims priority to three Japanese patent applications. One of those Japanese patent applications, namely JP 2002-188140, was filed on June 27, 2002, i.e., before the U.S. filing date of the Komoto reference. Applicants submit herewith an English translation of the JP 2002-188140 priority document, wherein all of the features of the present invention as defined by pending claims 1, 6, and 8 (and withdrawn claims 15-24) are disclosed (see, for example, paragraphs 0012, 0015, 0019, 0020, 0035, and 0037, as well as the Examples). As such, the subject matter of pending claims 1, 6, and 8 (and withdrawn claims 15-24) has an invention date which precedes the U.S. filing date of the Komoto

reference. Thus, the Komoto reference is not prior art to the present invention, and the anticipation rejection should be withdrawn.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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